

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).66-68/2008
(From the judgement and order dated 16/11/2007 in CWP No. 620/2003 & CWP
No. 1352/2006 & CWP No. 1353/2006 of The HIGH COURT OF H.P AT
SHIMLA)

NARAIN SINGH CHAUDHARY
VERSUS

Petitioner(s)

RAM SWARUP GUPTA & ORS. ETC.

Respondent(s)

(With appln(s) for vacating stay,directions and prayer for interim relief and office
report)(For final disposal)

WITH SLP(C) NO. 10523 of 2008
(With office report) (For final disposal)

SLP(C) NO. 2260 of 2008
(With prayer for interim relief and office report)(For final disposal)

SLP(C) NO. 2641-2643 of 2008
(With appln. for permission to place addl. documents on record and permission to
place addl. documents on record and impleadment and prayer for interim relief and
office report)(For final disposal)

SLP(C)No.8710/2009
(With prayer for interim relief and office report)

Date: 30/04/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE DR. JUSTICE R.M. LODHA

For Petitioner(s) Mr. P.S.Patwalia,Sr.Adv.
in 66-68/08 Mr. Aman Preet Singh Rahi,Adv.
Mr. D.K.Tripathi,Adv.
Mr. Tushar Bakshi,Adv.
Mr. Ashok K. Mahajan,Adv.

in 2641-43/08 Mr. P.S.Patwalia,Sr.Adv.
& SLP.No.8710/09 Mr. Vikas Mahajan,Adv.
Mr. B.Y.Kulkarni,Adv.

Mr. Anil Nag,Adv.
Mr. Narendra Kumar Tyagi, Adv.

Ms. Promila,Adv.

For Respondent(s) Mrs. K.Amareshwari,Sr.Adv.
(For NCT Delhi) Mrs. Asha G.Nair,Adv.
Ms.Gargi Khanna, Adv.
Ms.Anil Katiyar, Adv. ...2/-

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SLP(C010523/08 Mr. J.S.Attri,Sr.Adv.
Mr. Balraj Dewan,Adv.

for applicants Mr. Vikas Mahajan, Adv.
in IA.7-9 in Mr. Vinod Sharma,Adv.
SLP.2641-43/08 Mr. D.B.Vohra,Adv.

Mr. Rajeev Kumar Bansal,Adv.
Mr. Akshay K.Ghai,Adv.

Mr. Sanjeev Bansal, Adv.

State of HP Mr. R.K. Bawa, Adv. General HP
Mr. Naresh K. Sharma, Adv.

Mr. D.S. Mahra, Adv.

rr in SLP(C) No. 8710/09 Mr. Sudhir Kumar Sharma, Adv.
Mr. Balraj Dewan, Adv.

UPON hearing counsel the Court made the following
ORDER

Learned counsel for some of the parties submit that since the case was not shown in the cause list distributed last evening, they are not ready for arguments and therefore, the case may be adjourned. We have been informed that because of an inadvertent omission on the part of the office the case was not shown in the cause list but the office has taken care to inform this morning all the advocates-on-record in the matter about its listing today.

Leave granted.

Hearing expedited.

At this stage, learned Advocate General for the State of Himachal Pradesh prays that since the administrative work in the State is suffering on account of the non-availability of the senior officers, the

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interim order granted on 3rd March, 2008 may be vacated. He states, on instructions from Mr. Diljeet Dogra, Secretary (Pers) Government of H.P., that subject to the final decision in these petitions, to start with the State is prepared to make promotions on the basis of the DPC for the year 2006 and further promotions on the basis of the recommendations of DPCs which may be convened in future.

Mr. P.S. Patwalia, learned senior counsel appearing for some of the petitioners, states that if the statement made by the learned Advocate General, is strictly adhered to, he will not press for continuation of the interim order dated 3rd March, 2008. In view of the statement of learned Advocate General, interim order

dated 3rd March, 2008 shall stand modified to the extent that it will be open to the State to undertake exercise for promotions as per the statement recorded above. It goes without saying that the promotions made hereafter shall be subject to the final result in the present petitions. The inter se seniority in this selection shall also be tentative and shall be subject to the final orders in these petitions.

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SLP(C)No.8710/2009:

It is reported by the office that notice to the unserved respondents could not be issued for want of process fee. Learned counsel for the petitioner may take appropriate steps in the matter.

List before the Registrar for service as well as for completing the pleadings.

The matter shall be de-tagged from SLP(C)No.66-68/2008 etc.

[Usha Bhardwaj]
Court Master

[Vijay Dhawan]
Court Master